

REMARKS

Claims 1, 12, 21, 24 and 25 have been amended and claims 3-6, 8-11, 13-20, 22-23, 26 and 27 have been cancelled herein. Hence, claims 1, 2, 7, 12, 21, 24 and 25 are currently pending. Applicants respectfully request reconsideration of the captioned application in view of the foregoing amendments and the following remarks.

Drawings

The office action objected to the drawings, specifically with regards to claims 16-18. Claims 16-18 have been canceled, rendering the objection to the drawings moot.

Specification

The office action objected to the disclosure regarding the acronyms CMP and PFA. However, CMP is described as *Chemical-Mechanical Planarization* in paragraph [0005], and PFA is described as the high-purity plastic *perfluoroalkoxy copolymer* in paragraph [0031]. Applicants thus believe the acronyms have been fully described at their first use in the application.

Claim Rejections – 35 USC § 102

The office action rejected claims 1-6, 10, 11, 20, 21 and 24 under 35 USC 102(b) as allegedly being anticipated by U.S. Patent Nos. 4,950,134 and 4,488,853 to Bailey et al (“Bailey”) and Benson (“Benson”), respectively. Claims 1-3, 7, 10, 11 and 20 were rejected as allegedly being anticipated by U.S. Patent No. 6,107,203 to Vanell (“Vanell”), and claims 1-3, 7, 10, 11 and 20 were rejected as allegedly being anticipated by U.S. Patent No. 6,109,881 to Snodgrass et al (“Snodgrass”).

Without going into the merits of the rejections under section 102, claim 1 has been amended to incorporate the subject matter of claim 13 and the intervening dependent claims. The rejection under section 102 of claim 1 and the remaining claims dependent thereon is thus rendered moot by this amendment.

Claim 20 has been canceled.

Claims 22 and 23 depend from claim 21. Claim 21 has been amended to include “providing a disposable bag preloaded with slurry,” among other things. This is similar to a limitation recited in original claim 27, which was not included in the section 102 rejections.

Accordingly, all of the rejections under 35 USC 102 are believed to be overcome.

Claim Rejections – 35 USC § 103

The office action rejected claims 8, 9 and 12 under 35 USC 103(a) as allegedly being unpatentable over Bailey. Claims 14 and 16-19 and 22-27 were rejected as allegedly being unpatentable over the combination of Bailey and Benson, and claim 15 was rejected as allegedly being unpatentable over the combination of Bailey, Benson and Snodgrass.

Claims 8, 9, 14-19, 22, 23, 26 and 27 have been canceled, rendering their rejections moot.

Independent claim 21 has been amended to recite,

providing a disposable bag preloaded with slurry;
situating the disposable bag in fluid communication with a slurry outlet;
connecting the CMP tool to the slurry outlet; and
collapsing the disposable bag to expel slurry from the disposable bag to the CMP tool at a desired flow rate.

The office action appears to simply equate the bellows 62 disclosed in Benson with the disposable bag recited in the claims, noting that “any element can be disposed of.” However, the

prior art references must disclose each claim limitation. More specifically, MPEP 2143.01 notes, “The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination.” *In re Mills*, 916 F.2d 680 (Fed. Cir. 1990). Applicant respectfully contends that Benson fails to disclose or suggest the recited claim elements. Regarding the bellows 62, Benson states, “A bellows 62 is mounted to an end wall 63 of chamber 60', and defines therewith a pump chamber 65 having inlet and outlet check valves 67 and 68.” Benson at col.

Claim 21 includes providing a disposable bag preloaded with slurry and situating the disposable bag in fluid communication with a slurry outlet. There does not appear to be anything in Benson that suggests of removing or disposing of the bellows – “*mounted* to an end wall....” Further, providing an inlet to the chamber appears to teach away from the concept of providing a bag *preloaded* with slurry. If the bag is preloaded, there is no need for an inlet.

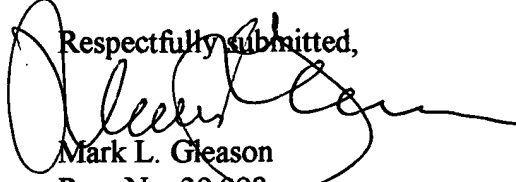
Thus, the method recited in claim 21 is believed to be allowable over the combination of Bailey and Benson. The remaining claims depending from claim 21 are allowable for at least the same reasons.

Patentable Subject Matter

The office action failed to provide a detailed rejection of claim 13. As such, Applicant assumes claim 13 includes allowable subject matter and would be allowable in independent form. Claim 1 has been amended to incorporate the subject matter of claims 10, 11 and 13, thus effectively placing claim 13 in independent form.

Conclusion

As evidenced by the foregoing amendments and remarks, Applicants have made a genuine effort to address each concern raised in the office action. All of the pending claims are believed to be in condition for allowance. The Examiner is invited to contact the undersigned attorney with any concerns or questions regarding the present application.

Respectfully submitted,

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